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7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE
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10 CERTAIN UNDERWRITERS AT
11 LLOYD'S, LONDON for Policies Nos.
12 PGIARK01768-01 and PGIARK01768-
13 02,

14 Plaintiffs,

15 v.

16 UNIVERSAL TRANSPORTATION &
17 TRANSLATIONS, INC., a Washington
18 for profit corporation; and HOPELINK
19 TRANSPORTATION, a Washington
non-profit corporation,

20 Defendants.

No. 2:14-cv-01513-JLR

DECLARATION OF LINDA
CARR

Note on Motion Calendar:
March 13, 2015

22 Linda Carr, being of adult years and competent to testify, hereby makes this
23
declaration on the basis of personal knowledge.

25 1. I am senior claims counsel for Premier Claims Management, LLC at 2020-B
26
North Tustin Avenue, Santa Ana, California 92705. I have oversight for some of the
27
28

1 claims involving the insureds of Underwriters at Lloyds', London covering the Seattle,
2 King County area, including the lawsuit brought by Amelia Croaker against Universal
3 Transportation & Translations, Inc. And Hopelink Transportation.

5 2. Attached hereto as Exhibit 1 is a true and correct copy of the email which I
6 received on May 13, 2014 from Pat Thomas, Technical Assistant, at Dual Commercial,
7 LLC, formerly PGI Commercial, LLC. The email references the attached notice of
8 complaint for Ms. Croaker's lawsuit. The suit papers were first sent to Robert Schmidt
9 of Dual Commercial, LLC at 7:14 p.m. on the evening of May 12, 2014 and then
10 forwarded me on May 13, 2014.

13 3. Attached hereto as Exhibit 2 is a true and correct copy of the April 24, 2014
14 notice of the Croaker summons and complaint provided by Bradley Guidinger, AIC,
15 Litigation Specialist, to NPIP, which was one of the attachments provided to me on
16 May 13, 2014.

19 4. Attached hereto as Exhibit 3 is a true and correct copy of the 24 faxed pages
20 that were provided with Mr. Guidinger's April 24, 2014 letter.

22 5. Based on my review of these documents and my knowledge of this file, the
23 first notice of this lawsuit received by the Underwriters was the email to Robert Schmidt
24 of Dual Commercial, LLC, on the evening of May 12, 2014.

26 I make this declaration under penalties of perjury in the State of Washington.
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28

1 SIGNED and DATED at Santa Anna, Orange County, California this 11
2 day of February, 2015.
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5 *Linda Carr*
6 _____
7 Linda Carr
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that she is an employee of Peizer & Zontz, P.S.

and is a person of such age and discretion as to be competent to serve papers.

It is further certified that on February 11, 2015, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following CM/ECF participants:

Aric Bomsztyk asb@bmatlaw.com

John A. Safarli jsafarli@floyd-ringer.com

s/ Carolyn Lafferty

Carolyn Lafferty, Legal Assistant

Peizer & Zontz, P.S.

720 Third Avenue, #1600

Seattle, WA 98104

Phone: 206-682-7700

Fax: 206-682-0721

E-mail: carolyn@przlaw.com

PEIZER & ZIONTZ, P.S.

1600 PACIFIC BUILDING

720 THIRD AVENUE

SEATTLE, WASHINGTON 98104-1825

PHONE (206) 682-7700 FAX (206) 682-0721

Exhibit 1

Martin Ziontz

From: Linda Carr <lcarr@premierclaimsllc.com>
Sent: Tuesday, July 01, 2014 2:17 PM
To: Martin Ziontz
Subject: FW: UT T (Universal Transportation & Translations) PGIARK01768-01
Complaint **Rush Rush**

Martin, here is the email we received from the underwriter

-----Original Message-----

From: Pat Thomas
Sent: Tuesday, May 13, 2014 8:58:00 AM
To: <mailto:Claims@premierclaimsllc.com>
Subject: FW: UT T (Universal Transportation & Translations) PGIARK01768-01
Complaint **Rush Rush**

Please find attached a Notice of Complaint received today. I have also attached all policies and endorsements.

Please send Acknowledge with assigned claim# & contact information when it is available.

Regards,

Pat Thomas
Technical Assistant
+1 973 631 7575 Ext: 134
[HYPERLINK "mailto:pthomas@dualcommercial.com"](mailto:pthomas@dualcommercial.com) pthomas@dualcommercial.com

Logo

Click [HYPERLINK "http://www.dualcommercial.com/news/DUAL_Name_Change_0314.html"](http://www.dualcommercial.com/news/DUAL_Name_Change_0314.html) here to read press release regarding PGI Commercial LLC's name change to DUAL Commercial LLC.

PLEASE UPDATE YOUR CONTACT LIST WITH OUR NEW EMAIL ADDRESS AND WEBSITE.

Marlton Executive Park

701 Route 73S., Suite 105, Building #2,

Marlton, NJ 08053

United States of America

Tel. +1 973 631 7575

Fax. +1 239 263 1808

[HYPERLINK "http://www.dualcommercial.com/"](http://www.dualcommercial.com/)www.dualcommercial.com

[HYPERLINK "https://twitter.com/dualcommercial"](https://twitter.com/dualcommercial)Twitter[HYPERLINK "https://www.facebook.com/dualcommercialllc"](https://www.facebook.com/dualcommercialllc)Facebook[HYPERLINK "https://www.linkedin.com/company/1952028?trk=NUS_ANNIV-cmpy"](https://www.linkedin.com/company/1952028?trk=NUS_ANNIV-cmpy)LinkedIn

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Before printing, think about the environment

From: Robert Schmidt
Sent: Tuesday, May 13, 2014 11:10 AM
To: Pat Thomas
Subject: FW: UT T (Universal Transportation & Translations) PGIARK01768-01 Complaint **Rush Rush**

Hi Pat – please forward this FNOL to PCM.

Thanks,

Bob

Robert Schmidt, RPLU

DUAL Commercial, LLC

+1 973 631 7575 Ext: 124

+1 267 249 5696 (mobile)

[HYPERLINK "mailto:rschmidt@dualcommercial.com"](mailto:rschmidt@dualcommercial.com)rschmidt@dualcommercial.com

Logo

PLEASE UPDATE YOUR CONTACT LIST WITH OUR NEW EMAIL ADDRESS AND WEBSITE.

Click HYPERLINK "http://www.dualcommercial.com/news/DUAL_Name_Change_0314.html" here to read press release regarding PGI Commercial LLC's name change to DUAL Commercial LLC.

United States of America

Tel. +1 973 631 7575
Fax. +1 239 263 1808

[HYPERLINK "http://www.dualcommercial.com/"](http://www.dualcommercial.com/) www.dualcommercial.com

[HYPERLINK "https://twitter.com/dualcommercial"](https://twitter.com/dualcommercial) Twitter [HYPERLINK "https://www.facebook.com/dualcommercialllc"](https://www.facebook.com/dualcommercialllc) Facebook [HYPERLINK "https://www.linkedin.com/company/1952028?trk=NUS_ANNIV-cmpy"](https://www.linkedin.com/company/1952028?trk=NUS_ANNIV-cmpy) LinkedIn

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From: Marci Sherk [<mailto:MSherk@gogus.com>]
Sent: Monday, May 12, 2014 7:14 PM
To: Robert Schmidt
Subject: FW: UT T (Universal Transportation & Translations) PGIARK01768-01 Complaint **Rush Rush**

Hi Robert,

The agent forwarded these suit papers. Apparently the attorneys for the insured's auto carrier forwarded to the agent Larry Forman.

I am trying to get contact information for the insured and will forward as soon as received.

Thanks,

Marci Sherk
Griffin Underwriting Services
In CA, DBA: Griffin Insurance Services; CA License #0G66558
425.974.7704 - Direct Line
800.562.8095 - Phone
425.453.8696 - Fax

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Bellevue_signature

From: Trisha Banfill
Sent: Monday, May 12, 2014 8:04 AM
To: Marci Sherk
Subject: FW: UT T (Universal Transportation & Translations) Complaint **Rush Rush**

Claim

Thank you,

Trisha Banfill
Griffin Underwriting Services
In CA, DBA: Griffin Insurance Services; CA License #0G66558
Associate Broker
425.974.7719 – Direct Line
800.562.8095 – Phone
425.453.8696 – Fax

From: Larry Forman [mailto:lmforman@aol.com]

Sent: Friday, May 09, 2014 2:41 PM

To: Trisha Banfill

Subject: Fwd: UTT (Universal Transportation & Translations) Complaint **Rush Rush**

Hello Trisha,

Wanted to forward this to you as soon as possible. I asked Mr Clarke to forward this to me so I could forward it to you. Looks like a summons was served related to a slip and fall loss back in June 13. I was not aware of this so am not sure if it has been reported to the CGL Ins company or not as of yet. If not please go ahead needs to be responded to within a certain amount of days.

Thankyou

Larry

-----Original Message-----

From: Clarke, Gary HYPERLINK "<mailto:gclarke@kemper.com>" "gclarke@kemper.com"

To: lmforman HYPERLINK "<mailto:lmforman@aol.com>" "lmforman@aol.com"

Sent: Fri, May 9, 2014 9:51 am

Subject: UTT (Universal Transportation & Translations) Complaint

#AOLMsgPart_2_61c3c19e-a52a-441e-872d-1a998c783d1f td{color: black;}
.aolReplacedBody P.3c7f3573-d2a2-4787-bff2-4807e89d12d2 { MARGIN: 0cm
0cm Opt } .aolReplacedBody LI.3c7f3573-d2a2-4787-bff2-4807e89d12d2 {
MARGIN: 0cm 0cm Opt } .aolReplacedBody
DIV.3c7f3573-d2a2-4787-bff2-4807e89d12d2 { MARGIN: 0cm 0cm Opt }
.aolReplacedBody TABLE.3c7f3573-d2a2-4787-bff2-4807e89d12d2Table {
MARGIN: 0cm 0cm Opt } .aolReplacedBody DIV.Section1 { page: Section1 }
Hi Larry, As we discussed, attached is the Complaint. Alpha Property &
Casualty (Kemper) hereby tenders the Complaint to Lloyd or any other
CGL carrier the insured may have. Please pass this along as soon as
possible, and let me know the contact information at Lloyds. This is a
slip and fall accident, and Kemper only had the auto policy. Note the
insured has not filed an appearance yet, so time is of the
essence. Thanks. Alpha Property & Casualty Insurance Company Gary
Clarke, CPCU, AICLitigation Examiner Kemper Services GroupP.O. Box
2833, Clinton, IA 52733541.343.1956 888.679.1839
HYPERLINK "<mailto:Faxgclarke@kemper.com>" "Faxgclarke@kemper.com"
kemper.com

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information intended only for the addressee(s). If you received this

communication in error, please notify the sender and delete it from your system.

Total Control Panel

[HYPERLINK "https://asp.reflexion.net/login?domain=gogus.com"](https://asp.reflexion.net/login?domain=gogus.com) Login

To: [HYPERLINK "https://asp.reflexion.net/address-properties?aID=292185945"](https://asp.reflexion.net/address-properties?aID=292185945)
domain=gogus.com"tbanfill@gogus.com

From: [HYPERLINK "https://asp.reflexion.net/address-properties?aID=2201854392"](https://asp.reflexion.net/address-properties?aID=2201854392)
domain=gogus.com"lforman@aol.com

Message Score: 15

High (60): Pass

My Spam Blocking Level: Low

Medium (75): Pass

Low (90): Pass

[HYPERLINK "https://asp.reflexion.net/FooterAction?ver=2 bl-sender-address=1 rID=292185945"](https://asp.reflexion.net/FooterAction?ver=2 bl-sender-address=1 rID=292185945)
aID=2201854392 domain=gogus.com"Block this sender

[HYPERLINK "https://asp.reflexion.net/FooterAction?ver=2 bl-sender-domain=1 rID=292185945"](https://asp.reflexion.net/FooterAction?ver=2 bl-sender-domain=1 rID=292185945)
aID=2201854392 domain=gogus.com"Block aol.com

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Exhibit 2



April 24, 2014

For Nonprofits, By Nonprofits.

Claims Manager
 Alpha Property & Casualty Insurance Company
 PO Box 223687
 Dallas, TX 75222-3687

RE: Insured: Hopelink/Amelia Croaker
 Claim #: *39961
 Date of Loss: 6/17/2013
 Your Insured: UT&T
 It's Policy #: FCAPCV1360295-05
 Policy Dates: 10/15/2012-10/15/2013

Dear Claims Manager:

Canfield is the Claims Administrator for the insurer of Hopelink. Hopelink contracts with UT&T to transport physically-challenged clients in the Seattle area.

From Hopelink, we have recently received a Summons & Complaint (copy attached), naming as defendants both Hopelink and UT&T. Amanda Croaker alleges that a UT&T driver caused her injury during a June 17, 2013, transport.

Under the terms of UT&T's contract (copy attached), I hereby tender handling of this claim and lawsuit to Alpha Property & Casualty Insurance Company. I would expect to have received an acceptance of this tender within the next 14 days.

For your information, James Baker (509-754-2356) has filed a Notice of Appearance on behalf of Hopelink.

Sincerely,

A handwritten signature in black ink, appearing to read "Bradley Guidinger".

Bradley Guidinger, AIC
 Litigation Specialist

/kes

Enclosures

cc: Hopelink
 Sprague, Israel, Giles
 James Baker, Attorney at Law
 Larry Forman Insurance Agency

Exhibit 3

SPRAGUE • ISRAEL • GILES • INC. • Insurance

2000 Century Square • 1501 Fourth Avenue • Seattle, WA 98101

F A X C O V E R S H E E T

DATE: April 11, 2014

TO: Canfield & Assoc.
Claims Dept. **PHONE:** 800-407-2027
FAX: 509-754-3406

FROM: Rosie Dore'
Claims Manager **PHONE:** 206-957-7045
FAX: 206-682-4993

RE: Hopelink
Policy #N1-A2-RL-0000013-05
LOSS OF 6-13-13

Number of pages including cover sheet: **24**

Message

Attached please find NEW LOSS for the above named insured. Please note that a Summons & Complaint has been filed against the insured for this loss. The insured was served on 3-31-14.

When this claim is assigned could you please ask that the adjuster call me as soon as possible regarding this claim.

Thanks for your help!

Rosie

I am sending this again as I did not get anything back that said you received this!
Thanks
Rosie

1 of 24



AUTOMOBILE LOSS NOTICE

OP ID: RD

DATE (MM/DD/YYYY)

04/11/2014

AM
PM

AGENCY		INSURED LOCATION CODE	DATE OF LOSS AND TIME
Sprague Israel Giles 1501 Fourth Avenue, Suite 730 Seattle, WA 98101-3225			06/17/13
CONTACT NAME: John M. Policar		CARRIER	NAIC CODE
PHONE (A/C, No., Ext):		American Alternative Ins Corp	
FAX (A/C, No.):		POLICY NUMBER	
E-MAIL ADDRESS:		N1-A2-RL-0000013-05	
CODE:	SUBCODE:	POLICY TYPE	
PKG			
AGENCY CUSTOMER ID: HOPEL-1			

INSURED

NAME OF INSURED (First, Middle, Last) Hopelink			INSURED'S MAILING ADDRESS
DATE OF BIRTH	FEIN (If applicable)	MARITAL STATUS	10675 Willows Rd. NE, #275 Redmond, WA 98052
PRIMARY PHONE #	<input type="checkbox"/> HOME <input type="checkbox"/> BUS <input type="checkbox"/> CELL	SECONDARY PHONE #	<input type="checkbox"/> HOME <input checked="" type="checkbox"/> BUS <input type="checkbox"/> CELL 425-869-6020
			PRIMARY E-MAIL ADDRESS: scioch@hope-link.org
			SECONDARY E-MAIL ADDRESS:

CONTACT	CONTACT INSURED	CONTACT'S MAILING ADDRESS	
NAME OF CONTACT (First, Middle, Last) Felicia Wright			
PRIMARY PHONE #	<input type="checkbox"/> HOME <input checked="" type="checkbox"/> BUS <input type="checkbox"/> CELL 425-943-6771	SECONDARY PHONE #	<input type="checkbox"/> HOME <input type="checkbox"/> BUS <input type="checkbox"/> CELL
WHEN TO CONTACT		PRIMARY E-MAIL ADDRESS:	
		SECONDARY E-MAIL ADDRESS:	

LOSS		POLICE OR FIRE DEPARTMENT CONTACTED	
LOCATION OF LOSS 17900 International Blvd STREET: CITY, STATE, ZIP: Seattle, WA COUNTRY: US		911 was called REPORT NUMBER	
DESCRIBE LOCATION OF LOSS IF NOT AT SPECIFIC STREET ADDRESS: DESCRIPTION OF ACCIDENT (Attach ACORD 101, Additional Remarks Schedule, if more space is required) Attached please find information where a taxi driver from UT & T was escorting claimant to his taxi and she fell on sidewalk breaking her left ankle.			

INSURED VEHICLE					
VEH #	YEAR	MAKE: UT & T	BODY TYPE:	PLATE NUMBER	STATE
115		MODEL:	V.I.N.:		
OWNER'S NAME AND ADDRESS <input type="checkbox"/> (Check if same as insured)				PRIMARY PHONE #	<input type="checkbox"/> HOME <input type="checkbox"/> BUS <input type="checkbox"/> CELL 425-869-6020
				SECONDARY PHONE #	<input type="checkbox"/> HOME <input checked="" type="checkbox"/> BUS <input type="checkbox"/> CELL
				PRIMARY E-MAIL ADDRESS:	
DRIVER'S NAME AND ADDRESS <input type="checkbox"/> (Check if same as owner) Mohamed Abubaker				SECONDARY PHONE #	<input type="checkbox"/> HOME <input type="checkbox"/> BUS <input type="checkbox"/> CELL
				PRIMARY PHONE #	<input type="checkbox"/> HOME <input type="checkbox"/> BUS <input type="checkbox"/> CELL
				SECONDARY E-MAIL ADDRESS:	
RELATION TO INSURED (Employee, family, etc.)				STATE	PURPOSE OF USE
					USED WITH PERMISSION? (Y/N) <input type="checkbox"/>
DESCRIBE DAMAGE					

1. WAS A STANDARD CHILD PASSENGER RESTRAINT SYSTEM (CHILD SEAT) INSTALLED IN THE VEHICLE AT THE TIME OF THE ACCIDENT?	Y/N	
2. WAS THE CHILD PASSENGER RESTRAINT SYSTEM (CHILD SEAT) IN USE BY A CHILD DURING THE TIME OF THE ACCIDENT?	Y/N	
3. DID THE CHILD PASSENGER RESTRAINT SYSTEM (CHILD SEAT) SUSTAIN A LOSS AT THE TIME OF THE ACCIDENT?	Y/N	
ESTIMATE AMOUNT:	WHERE CAN VEHICLE BE SEEN?:	WHEN CAN VEHICLE BE SEEN?:
OTHER INSURANCE ON VEHICLE - CARRIER:		POLICY NUMBER:

OTHER VEHICLE / PROPERTY DAMAGED			NON - VEHICLE? <input type="checkbox"/>	AGENCY CUSTOMER ID: HOPEL-1				OP ID: RD	
VEH #	YEAR	MAKE: MODEL:	BODY TYPE: V.I.N.:				PLATE NUMBER	STATE	
DESCRIBE PROPERTY (Other Than Vehicle)							OTHER VEH/PROP INS? (Y/N) <input type="checkbox"/>		
CARRIER OR AGENCY NAME			NAIC CODE	POLICY NUMBER					
OWNER'S NAME AND ADDRESS			PRIMARY PHONE # <input type="checkbox"/> HOME <input type="checkbox"/> BUS <input type="checkbox"/> CELL			SECONDARY PHONE # <input type="checkbox"/> HOME <input type="checkbox"/> BUS <input type="checkbox"/> CELL			
			PRIMARY E-MAIL ADDRESS:						
DRIVER'S NAME AND ADDRESS <input type="checkbox"/> (Check if same as owner)			PRIMARY PHONE # <input type="checkbox"/> HOME <input type="checkbox"/> BUS <input type="checkbox"/> CELL			SECONDARY PHONE # <input type="checkbox"/> HOME <input type="checkbox"/> BUS <input type="checkbox"/> CELL			
			PRIMARY E-MAIL ADDRESS:						
DESCRIBE DAMAGE			SECONDARY E-MAIL ADDRESS:						
ESTIMATE AMOUNT	WHERE CAN DAMAGE BE SEEN?								
INJURED									
NAME & ADDRESS Amelia Croaker			PHONE (A/C, No)	PED	INS VEH	OTH VEH	AGE	EXTENT OF INJURY Broken Ankle	
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
WITNESSES OR PASSENGERS									
NAME & ADDRESS			PHONE (A/C, No)	INS VEH	OTH VEH	OTHER (Specify)			
				<input type="checkbox"/>	<input type="checkbox"/>				
				<input type="checkbox"/>	<input type="checkbox"/>				
				<input type="checkbox"/>	<input type="checkbox"/>				
REPORTED BY Insured			REPORTED TO Rosie Dore'						
REMARKS (Attach ACORD 101, Additional Remarks Schedule, if more space is required)									

NOTES:

INSURED'S NAME Hopelink

HOPEL-1

OP ID: RD

PAGE 5

DATE 4/11/2014

Spoke to the Attorney Karen Scudder and asked when our insured was served the summons & complaint and it was 3-31-14. UT & T was served on 4-1-14. I advised the attorney that this claim should be sent to the carrier for UT & T and she stated that even if the insured has a contract with these partners they are still responsible as they hold a great deal of control over the partners.



Transportation
Phone (425) 943.6789
Fax (425) 644.9956
Address 14812 Main St.
Bellevue, WA 98007-52
Web www.hope-link.org

Food. Shelter. Transportation. Family Support. Hope.

TO Rosie Dore Claims Manager

Company Sprague Israel Giles Insurance

Fax number 206.682.4993 Phone number 206.623.7035

FROM Felicia Wright

Dept. Transportation Phone number 425.943.6771

DATE 4/8/2014 **# of pages (including cover)** 20

Check as needed	<input checked="" type="checkbox"/>	URGENT	<input type="checkbox"/>	FYI	<input type="checkbox"/>	For your review	<input checked="" type="checkbox"/>	Please Reply	<input type="checkbox"/>	Please route	<input type="checkbox"/>	Please Post
-----------------	-------------------------------------	--------	--------------------------	-----	--------------------------	-----------------	-------------------------------------	--------------	--------------------------	--------------	--------------------------	-------------

Hello Rosie,

Enclosed documentation is related to an incident that occurred on the Brokerage side of operations on 6/13/2013. Greaney Law Firm is representing the client. Please let me know if you have any questions or any next steps we should take. Thank you.

Regards,

Felicia Wright
Hopelink Transportation
Program Supervisor Quality Assurance
T: 425.943.6771
F: 425.644.9956
E: fwright@hope-link.org

Hopelink Transportation Incident/Accident Report

<input checked="" type="checkbox"/> Stephen Riehl	360-725-1441
<input type="checkbox"/> Paul Meury	360-725-1317

<input checked="" type="checkbox"/> Jeanne Andry Lang 360-725-1313
<input checked="" type="checkbox"/> RosaMaria Espinoza 360-725-1721

Fax to HCA at 360-664-0261

An Incident is defined as "the occurrences and or alleged occurrences that affect the health, safety, or rights of a Client, including, but not limited to, accidents, sudden onset of serious illness, physical, emotional or verbal abuse, discrimination, or other unlawful or actionable acts."

Incident <input checked="" type="checkbox"/>	Accident <input type="checkbox"/>	Initial <input checked="" type="checkbox"/>	Follow-Up <input checked="" type="checkbox"/>	Closed <input checked="" type="checkbox"/>
Injuries:	Medical Treatment:	911 Called	ER Visit:	Admitted:
Yes <input checked="" type="checkbox"/>	Yes <input checked="" type="checkbox"/>	Yes <input checked="" type="checkbox"/>	Yes <input checked="" type="checkbox"/>	Yes <input checked="" type="checkbox"/>
No <input type="checkbox"/>	No <input type="checkbox"/>	No <input type="checkbox"/>	No <input type="checkbox"/>	No <input type="checkbox"/>

Initial Report:

Date of Incident: 06/17/13 Time: 11:00 County: King Region: 4 City/Town: Seatac

Location (Intersection, Highway & Milepost, etc): 17900 International Blvd

Client Name: Croaker, Amelia
Last, First

P1: 101821896WA

Ambulatory Yes No Equipment Code: AMB Date of Report: 06/17/13

Reported by: Universal Transportation and Translation (UT&T)

Incident Narrative: UTT reports that driver was assisting client to the vehicle. Client was holding onto driver's hand as they were stepping off the curb. Client lost her balance and fell. Client has severe leg pain and possible broken leg. Nurse at kidney center called 911. The client is going to the emergency room by aid car.

Client or Advocate Information: Adrian Fomby (NWKC social worker) Date: 6/17/2013

Complaint #: 11534

Client/Advocate Statement: Upon leaving dialysis, pt. 101821896WA was guided by taxi driver from UT&T, car #115. Time ~1055am .Pt said he was walking too fast & staff reports that he walked her down the steps instead of ramp. Pt was on sidewalk & took a step, unaware of the step down, her left ankle rolled & she fell to pavement. Stated she did not hit head. Left ankle appears to be broken, foot is displaced to midline. Leg was elevated & ice applied while waiting for medics. The EMT's arrived & applied an air splint. Pt requested to be sent to Valley Medical Center & was taken by ambulance ~11:15.Pt was able to call her husband to meet her at hospital. She stated driver assisted client to the vehicle using the stairs instead of the ramp. Client is blind and told KC staff driver was walking too fast.

Provider Information:	Date of Contact:
Insurance Company Name: <u>Kemper Insurance</u>	Contact Phone Number: <u>Larry Forman 206.241.4542</u>
Policy #: <u>FCAPCV1360295-05</u>	
Provider Name: Universal Transportation and Translation (UT&T)	Driver Name: <u>Abubaker, Mohamed</u>
Driver for Hire #:	Last, First Date Provider Incident Received: 6/17/2013
Provider Statement: attached	
Driver Statement: N/A	
Driver Status: de-authorized	Date: 6/17/2013
<input checked="" type="checkbox"/> Driver has been suspended pending investigation. (Driver involved was de-authorized. Due to the extent of the injury client suffered, it does not appear Hopelink will reinstate the driver).	
<input type="checkbox"/> We are requiring that driver go for authorized re-training.	
<input type="checkbox"/> Other-no change in the driver's status	

Local Law Enforcement Report:	Date:
Law Enforcement Agency:	
Law Enforcement Report:	

Follow up Report:	
Client or Advocate Re-Contact: Amelia Croaker (client)	Date: 6/18/2013
Per Ms. Croaker, the driver did not seem to realize that she is blind, and when he was assisting her he was going too fast. When they came to a curb, he did not let her know that it was approximately 5 inches high. She fell and fractured her ankle. Client is currently in the hospital	
Follow up Report:	
Client or Advocate Re-Contact: Amelia Croaker (client)	Date: 6/27/2013
As driver was escorting the client to the vehicle, he was going a pace faster than she was. Driver took her down the ramp to the curb. The vehicle was not parked so passengers could get in at curb cut. And driver failed to warn client to step down off the curb. As a result, client fell to the ground. Driver attempted to pull her up by her arms. Client felt pain in her right ankle right away and knew something was terribly wrong. Driver summoned help from	

inside the clinic per client's request. Medical staff called 911. Client was taken by aid car to Valley Medical Center. Surgery was needed to repair client's shattered left ankle bone. Client is staying at a rehabilitation center while she recuperates. She now uses a wheelchair as she cannot put any weight on her left ankle for 12 weeks. Advised client insurance information was mailed to her home. She will check with her husband to confirm it was received. Also informed client of the action Hopelink took against the driver. Client suggested that drivers receive additional training on how to assist individuals that are blind/visually impaired. Per client she often has to advocate for herself because some drivers don't understand what a white cane means. And when language is a barrier getting drivers to understand the level of assistance blind people require is even more difficult.

Summary Report:

Client's left ankle bone was shattered when she fell down stepping off the curb. Client is blind. Driver did not warn client to step down off the curb. 911 was called and client was taken to the emergency room by aid car. Surgery was needed to repair client's ankle bone. Insurance information was mailed to client's home. Client is currently recuperating at a rehabilitation facility.

Driver involved was de-authorized. Due to the extent of the injury client suffered, it does not appear Hopelink will reinstate the driver.

Investigation closed: Felicia Wright**Date: 06/27/2013**

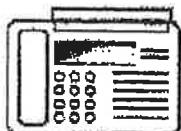


3803 S. Warsaw St.
Seattle, WA 98118
206-722-2177
206-722-3639 Fax

Reliable Transportation & Accurate Translations

From: UT & T
ABDULKADIR RASHID
To: HOPELINK
TRANSPORTATION DEPARTMENT

ATTN: Sebastian, V



Fax number: (425) 644-9956

Date: 06/19/13

NUMBER OF PAGES (including cover): 6

Regarding: # 11534

Follow-up

Phone number for: (206) 995-8705

Fax Number: (206) 241-3794

COMMENTS:

This fax and any information accompanying it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this fax in error please notify the sender listed above. This fax contains confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this fax. Please notify the sender immediately if you have received this fax by mistake and destroy contents immediately. If you are not the intended recipient you are notified that disclosing, copying, distributing, or taking any action in reliance on the contents of this information is strictly prohibited.

Hopelink Transportation Incident Report

You must call speaking directly to our staff at 1-425-943-6709 (Partner Line) immediately after you become aware of an Incident. Also send an email alerting of an incident to Ombudsperson@hope-link.org, referencing only client trip ID # due to HIPAA.

Fax a copy of this completed report within 24 hours to: 425-644-9956 fax or as directed by Hopelink.

Date: 6/17/13 Time: 11:00 City/Town: Seattle

Location (Intersection, Highway & Milepost, etc.): 17900 international blvd seatac

Injuries?	Medical Treatment?	911 Called?	ER Visit?	Admitted?
No	No	Yes	No	No

Provider Name: UT And T Driver Name: Abubakar Mohamed _____
 \ (Last) (First)

For Hire #: 115 Vehicle #: 115

INITIAL REPORT

Ambulatory? Yes

Client Name: Croaker Amelia _____ Trip ID#: 284741
 \ (Last) (First)

Accident/Incident Narrative: Driver reported that he escorted the client from her door to the car. He carried her bag in one hand and the client was holding his other hand. Before the client boarded, she tripped at the curb and could not hold the driver's hand. She fell down.

The nurse at the clinic called 911 and the driver called UT & T dispatch. Hope-link was immediately informed of the situation.

Driver is now suspended. Driver will write a statement.

Provider Insurance Company Name, Contact, Policy #: Kemper- Larry Forman # 206-241-4542
 p# FCAPCV1360295-05

Party(s) Insurance Company Name, Contact, Policy #:

Driver's statement

complaint #11534

I went to the client pick up address and while I was helping her to the car,

She gave me one bag in my left hand and I used my right hand to assist her. While we were on the ramp, we got to curb I told client to slowdown but she did not listen she tripped on the curb while I assisting and she lost balance and could not grab hand and she fell down.

A. Mohamed

6/14/15



Amelia Croaker
14438 59th Ave S # 15
Tukwila, WA 98168

Dear Ms. Croaker:

Please find insurance information below regarding the incident you were involved in on 6/17/2013.

Service Provider: Universal Transportation and Translation (UT&T)
Insurance Company- Kemper
Contact: Larry Forman 206 241-4542
Policy: FCAPCV1360295-05

Should you have any questions and concerns related to this matter, please give me a call. I can be reached at (425) 943-6771 Monday through Friday from 9:00am -5:00pm (PST).

Sincerely,

Felicia Wright
Ombudsman Department

NATIONAL REGISTERED AGENTS, INC

SERVICE OF PROCESS SUMMARY TRANSMITTAL FORM

To: LAUREN THOMAS
HOPELINK
10675 WILLOWS ROAD NE
SUITE 275
REDMOND, WA 98052

SOP Transmittal # 524680575

360-357-6794 - Telephone

Entity Served: HOPELINK (Domestic State: WASHINGTON)

Enclosed herewith are legal documents received on behalf of the above captioned entity by National Registered Agents, Inc or its Affiliate in the State of WASHINGTON on this 31 day of March, 2014. The following is a summary of the document(s) received:

1. Title of Action: Amelia Croaker, Pltf. vs. Universal Transportation & Translations Inc., et al. including Hopelink, Dfts.

2. Document(s) Served: COMPLAINT, SUMMONS
Other: Order(s), Schedule

3. Court of Jurisdiction/Case Number: King County Superior Court, WA
Case # 142089589KNT

4. Amount Claimed, if any: N/A

5. Method of Service:

<input checked="" type="checkbox"/> Personally served by:	<input checked="" type="checkbox"/> Process Server	<input type="checkbox"/> Deputy Sheriff	<input type="checkbox"/> U. S Marshall
<input type="checkbox"/> Delivered Via:	<input type="checkbox"/> Certified Mail	<input type="checkbox"/> Regular Mail	<input type="checkbox"/> Facsimile
<input type="checkbox"/> Other (Explain):			

6. Date and Time of Receipt: 03/31/2014 02:58:00 PM CST

7. Appearance/Answer Date: Within 20 days after service

8. Received From: Karen J. Scudder
Greaney Law Firm, PLLC
203 Madison Avenue
Kent, WA 98032
253-859-0220

9. Federal Express Airbill # 798404558953

10. Call Made to: Not required

11. Special Comments:

SOP Papers with Transmittal, via Fed Ex 2 Day
(image SOP)

Email Notification, LORI K. NOMURA NOMUL@POSTER.COM

REMARKS : Please note the process server underlined, circled, initialed and/or highlighted the entity name being served prior to receipt by CT

NATIONAL REGISTERED AGENTS, INC

Copies To:

Transmitted by Michele Rowe

The information contained in this Summary Transmittal Form is provided by National Registered Agents, Inc for informational purposes only and should not be considered a legal opinion. It is the responsibility of the recipient to consult with their attorney regarding the legal effect of the service of process.

ORIGINAL

13 of 24

3/3/14

DA

1
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6 AMELIA CROAKER,

7 Plaintiff,

8 vs.

9 UNIVERSAL TRANSPORTATION &
10 TRANSLATIONS INC., a Washington
11 Corporation, HOPELINK, a Washington
12 Nonprofit Corporation, and Defendant Doe
13 Companies,

14 Defendants,

15 No: 14-2-08958-9 KNT

16 SUMMONS

17 COPY

18 TO: DEFENDANTS, UNIVERSAL TRANSPORTATION & TRANSLATIONS, INC., and
19 HOPELINK,

20 A lawsuit has been started against you in the above-entitled court by Amelia Croaker,
21 "Plaintiff." Plaintiff's claim is stated in the written Complaint, a copy of which is served upon
22 you with this Summons.

23 In order to defend against this lawsuit, you must respond to the Complaint by stating your
24 defense in writing, and serve a copy of the response upon the undersigned attorney for the
25 Plaintiff. Your written response must be served upon the undersigned attorney for the Plaintiff
within 20 days after the service of this Summons if it was served within the State of Washington.

SUMMONS - 1

GREANEY LAW FIRM, PLLC
203 Madison Avenue
KENT, WASHINGTON 98032
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253-859-0440 (Fax)

14 of 24

1 and within 60 days after said service if served outside the State of Washington, excluding the day
2 of service.

3 If you fail to serve your written response within the time limits set forth above, a default
4 judgment may be entered against you without notice. A default judgment is one in which
5 Plaintiff is entitled to what is asked for in the Complaint because you have not responded. If you
6 serve a notice of appearance on the undersigned attorney, you are entitled to notice before a
7 default judgment may be entered.

8 You may demand that the Plaintiff file this lawsuit with the Court. If you do so, the
9 demand must be in writing and must be served upon the Plaintiff. Within 14 days after you serve
10 the demand, the Plaintiff must file this lawsuit with the Court, or the service on you and this
11 Summons and Complaint will be void.

12 If you wish to seek the advice of an attorney in this matter, you should do so promptly so
13 that your written response, if any, may be served on time.

14 This Summons is issued pursuant to Rule 4 of the Superior Court Civil Rules of the State
15 of Washington.

16 Dated this 28th day of March, 2014.

17
18
19
20 John J. Greaney, WSB# 11252
21 Karen J. Scudder, WSB# 35351
Greaney Law Firm, PLLC
22 Attorneys for Plaintiff, Amelia Croaker
23
24
25

SUMMONS - 2

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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

9 AMELIA CROAKER,

10 Plaintiff,

11 vs.

12 UNIVERSAL TRANSPORTATION &
13 TRANSLATIONS INC., a Washington
14 Corporation, HOPELINK, a Washington
15 Nonprofit Corporation, and Defendant Doe
Companies,

16 Defendants,

No: 14-2-08958-9 KNT

COMPLAINT FOR
PERSONAL INJURIES

COPY

17 COMES NOW the Plaintiff, Amelia Croaker, by and through her attorneys, John J. Greaney and
18 Karen J. Scudder, of GREANEY LAW FIRM, PLLC for causes of action, and states and alleges
19 as follows:

20 I. PLAINTIFF

21 1.1 Plaintiff Amelia Croaker is, and was at all times material here to, a resident of Tukwila, in
King County, Washington.

23 II. DEFENDANTS

24 2.1 Upon information and belief, Universal Transportation & Translations Inc. ("UT & T"), is a
Washington corporation incorporated under the laws of the State of Washington with its
25 principal place of business in Seattle, Washington, King County.

COMPLAINT FOR
PERSONAL INJURIES - 1

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1 2.2 Upon information and belief, Defendant Hopelink, is a Washington nonprofit corporation
2 incorporated under the laws of the State of Washington with its principal place of business in
Redmond, Washington, King County.

3 2.3 Defendants Doe Companies, whose true identities are unknown, may have caused or
4 contributed to the events giving rise to this action, or may have been an employer, employee,
agent or principal of the named Defendants who may have been acting within the course and
5 scope of his employment/agency at the time of the incident alleged herein. When their identities
become known, the Complaint will be amended to reflect that knowledge.

6

7 III. VENUE AND JURISDICTION

8 3.1 The events forming the bases of the causes of actions occurred in King County, Washington,
and therefore, venue is proper in this Court.

9 3.2 This Court has jurisdiction over the subject matter of the causes of action set forth in this
10 Complaint.

11 3.3 This Court has personal jurisdiction over the parties to this action.

12

IV. FACTS

13 4.1 Plaintiff Amelia Croaker is a patient at Northwest Kidney Center ("NWKC"). Due to her
medical condition, Plaintiff is unable to drive herself to her medical appointments and therefore
relies on Hopelink and the special needs transportation companies it contracts with to provide
transportation.

14 4.2 Hopelink is a common carrier for Medicaid patients, such as Plaintiff, that require
transportation assistance to their medical appointments. Hopelink is required by its contract with
Washington Healthcare Authority ("HCA") to manage overall day-to-day operations necessary
for the delivery of cost efficient, appropriate non-emergency medical transportation services.
Hopelink is the point of contact for all passengers and medical facilities who use Hopelink
transportation services under its contract with HCA.

15 4.3 At or around 11:00 a.m., on June 17, 2013, Amelia Croaker had completed her dialysis
treatment and was leaving the NWKC. She was to be transported home by UT & T, a special
needs transportation company contracted by Hopelink. Hopelink controls how UT & T operates
and they must operate in accordance with their contract with Hopelink. When transporting Mrs.
Croaker, UT & T was acting with authority as an agent of Hopelink.

16 4.4 When UT & T's transporter walked Mrs. Croaker from the lobby of NWKC, towards the cab,
Mrs. Croaker asked him to take her down the ramp instead of the stairs. It was clear that Mrs.
Croaker was blind. She had her long white cane in her right hand, holding it by her side, as she
was being guided by her transporter.

17 4.5 Mrs. Croaker held on to the transporter as they walked off the ramp and onto the sidewalk
COMPLAINT FOR
PERSONAL INJURIES - 2

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1 towards his cab. The transporter was walking very quickly and did not slow down when Mrs.
2 Croaker asked him to. She was not at her best, having just finished treatment.

3 4.6 The transporter did not park his cab next to the curb cut area like he was supposed to, nor
4 did he inform Mrs. Croaker of any curb. Instead, when they approached the curb, he let go of
5 Mrs. Croaker and apparently proceeded to his cab. He walked forward without Mrs. Croaker and
6 failed to warn her of the curb, at the same time he was distracted and talking on his cell phone.

7 4.7 Mrs. Croaker took one step forward and walked off the curb she did not know was there,
8 falling between the curb and the cab, causing her immediate serious injuries, including shattering
9 bones in her left ankle.

10 4.8 The transporter knew or should have known that Mrs. Croaker needed assistance to stand or
11 walk and he was negligent when he failed to take proper precautions to ensure her stability and
12 safety. Additionally, his company failed to provide appropriate training and instructions on
13 assisting passengers.

14 4.9 Each of the Defendants in this matter had knowledge of Mrs. Croaker's physical limitations
15 and assistance needs.

16 V. CAUSE OF ACTION - NEGLIGENCE

17 5.1 Plaintiff re-alleges the allegations set forth in paragraphs 1.1 through 4.9, and incorporates
18 them as though fully set forth herein.

19 5.2 Defendants owed a duty of reasonable care to Plaintiff.

20 5.3 Defendants' action and inactions, as described above, constitutes a breach of that duty.

21 5.4 As a direct and proximate result of Defendants' acts and omissions, negligence and conduct
22 as alleged above, Plaintiff suffered personal injuries, incurred medical and other expenses and
23 other special damages, and general damages, including, but not limited to, pain and suffering,
24 loss of and lessened enjoyment of life, all to be shown at the time of trial, for which Defendants
25 are jointly and severally liable.

26 VI. CAUSE OF ACTION - NEGLIGENCE - COMMON CARRIER

27 6.1 Plaintiff re-alleges the allegations set forth in paragraphs 1.1 through 5.4, and incorporates
28 them as though fully set forth herein.

29 6.2 Defendants UT & T, John Doe Company, and Hopelink are vicariously liable to Mrs.
30 Croaker for the negligent acts and/or omissions of its agents, contractors or employees.

31 6.3 Defendants UT & T, Doe Company, and Hopelink as common carriers, owe a heightened
32 COMPLAINT FOR
33 PERSONAL INJURIES - 3

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253-859-0440 (Fax)

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1 duty of care to their passengers. Common carriers' duties include acting with care commensurate
2 with its passengers' physical condition and needs of which it had knowledge.

3 6.4 Defendants UT & T, Doe Company, and Hopelink breached their duty by failing to exercise
4 the highest degree of care to ensure that the employees and or contractors under its charge were
5 assisting its passengers safely and properly.

6 6.5 As a direct and proximate result of Defendants' acts and omissions, negligence, and conduct
7 as alleged above, Plaintiff suffered personal injuries, incurred medical and other expenses and
8 other special damages, and general damages, including, but not limited to, pain and suffering,
9 loss of and lessened enjoyment of life, all to be shown at the time of trial, for which Defendants
10 are jointly and severally liable.

VIII PRAYER FOR RELIEF

10 WHEREFORE, the Plaintiff prays for judgment against the Defendants, jointly and severally, as
11 follows:

12 1. For judgment against Defendants, jointly and severally, and in favor of Plaintiff, for special
13 damages in an amount to be proved at the time of the trial;

14 2. For judgment against Defendants, jointly and severally, and in favor of Plaintiff, for general
15 damages in an amount to be proved at the time of the trial;

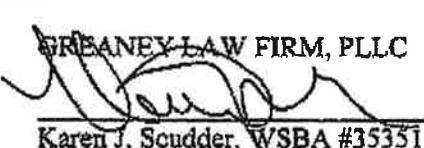
16 3. For judgment against Defendants, jointly and severally, and in favor of Plaintiff, for costs and
17 disbursements, including statutory and reasonable attorneys' fees;

18 4. For judgment against Defendants, jointly and severally, and in favor of Plaintiff, for pre-
19 judgment interest on all special damages;

20 5. For judgment against Defendants, jointly and severally, and in favor of Plaintiff, for post-
judgment interest on the entire judgment until paid in full;

21 6. For judgment against Defendants, jointly and severally, and in favor of Plaintiff, for such other
22 and further relief as the Court may deem just and equitable.

23 Dated this 28th day of March, 2014.

24 
GREANEY LAW FIRM, PLLC

25 Karen J. Scudder, WSBA #35351
John J. Greaney, WSBA # 11252
Greaney Law Firm, PLLC
Attorneys for Plaintiff

COMPLAINT FOR
PERSONAL INJURIES - 4

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KENT, WASHINGTON 98032
253-859-0220 (Phone)
253-859-0440 (Fax)

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON

Amelia Croaker

Plaintiff(s)

vs.

Universal Transportation &
Translations, Inc., et al

Respondent(s)

NO. 14-2-08958-9 KNT
ORDER SETTING CIVIL CASE SCHEDULE

ASSIGNED JUDGE: Amini, Susan, Dept. 20

FILED DATE: 3/28/2014

TRIAL DATE: 5/26/2015

SCOMIS CODE: *ORSCS

COPY

A civil case has been filed in the King County Superior Court and will be managed by the Case Schedule on Page 3 as ordered by the King County Superior Court Presiding Judge.

I. NOTICES

NOTICE TO PLAINTIFF: The Plaintiff may serve a copy of this Order Setting Case Schedule (*Schedule*) on the Defendant(s) along with the *Summons and Complaint/Petition*. Otherwise, the Plaintiff shall serve the *Schedule* on the Defendant(s) within 10 days after the later of: (1) the filing of the *Summons and Complaint/Petition* or (2) service of the Defendant's first response to the *Complaint/Petition*, whether that response is a *Notice of Appearance*, a response, or a Civil Rule 12 (CR 12) motion. The *Schedule* may be served by regular mail, with proof of mailing, to be filed promptly in the form required by Civil Rule 5 (CR 5).

"I understand that I am required to give a copy of these documents to all parties in this case."

PRINT NAME

SIGN NAME

30 of 24

Hypelink
6-13-13

I. NOTICES (continued)

NOTICE TO ALL PARTIES:

All attorneys and parties should make themselves familiar with the King County Local Rules [KCLCR] – especially those referred to in this *Schedule*. In order to comply with the *Schedule*, it will be necessary for attorneys and parties to pursue their cases vigorously from the day the case is filed. For example, discovery must be undertaken promptly in order to comply with the deadlines for joining additional parties, claims, and defenses, for disclosing possible witnesses [See KCLCR 26], and for meeting the discovery cutoff date [See KCLCR 37(g)].

CROSS CLAIMS, COUNTER CLAIMS AND THIRD PARTY COMPLAINTS:

A filing fee of \$240 must be paid when any answer that includes additional claims is filed in an existing case.

KCLCR 4.2(a)(2)

A Confirmation of Joinder, Claims and Defenses or a Statement of Arbitrability must be filed by the deadline in the schedule. The court will review the confirmation of joinder document to determine if a hearing is required. If a Show Cause order is issued, all parties cited in the order must appear before their Chief Civil Judge.

PENDING DUE DATES CANCELED BY FILING PAPERS THAT RESOLVE THE CASE

When a final decree, judgment, or order of dismissal of all parties and claims is filed with the Superior Court Clerk's Office, and a courtesy copy delivered to the assigned judge, all pending due dates in this *Schedule* are automatically canceled, including the scheduled Trial Date. It is the responsibility of the parties to 1) file such dispositive documents within 45 days of the resolution of the case, and 2) strike any pending motions by notifying the bailiff to the assigned judge.

Parties may also authorize the Superior Court to strike all pending due dates and the Trial Date by filing a *Notice of Settlement* pursuant to KCLCR 41, and forwarding a courtesy copy to the assigned judge. If a final decree, judgment or order of dismissal of all parties and claims is not filed by 45 days after a *Notice of Settlement*, the case may be dismissed with notice.

If you miss your scheduled Trial Date, the Superior Court Clerk is authorized by KCLCR 41(b)(2)(A) to present an *Order of Dismissal*, without notice, for failure to appear at the scheduled Trial Date.

NOTICES OF APPEARANCE OR WITHDRAWAL AND ADDRESS CHANGES:

All parties to this action must keep the court informed of their addresses. When a Notice of Appearance/Withdrawal or Notice of Change of Address is filed with the Superior Court Clerk's Office, parties must provide the assigned judge with a courtesy copy.

ARBITRATION FILING AND TRIAL DE NOVO POST ARBITRATION FEE:

A Statement of Arbitrability must be filed by the deadline on the schedule if the case is subject to mandatory arbitration and service of the original complaint and all answers to claims, counterclaims and cross-claims have been filed. If mandatory arbitration is required after the deadline, parties must obtain an order from the assigned judge transferring the case to arbitration. Any party filing a Statement must pay a \$220 arbitration fee. If a party seeks a trial de novo when an arbitration award is appealed, a fee of \$250 and the request for trial de novo must be filed with the Clerk's Office Cashiers.

NOTICE OF NON-COMPLIANCE FEES:

All parties will be assessed a fee authorized by King County Code 4A.630.020 whenever the Superior Court Clerk must send notice of non-compliance of schedule requirements and/or Local Civil Rule 41.

King County Local Rules are available for viewing at www.kingcounty.gov/courts/clerk.

21 of 24

II. CASE SCHEDULE

✓	CASE EVENTS	DATE
	Case Filed and Schedule Issued.	3/28/2014
✓	Last Day for Filing Statement of Arbitrability without a Showing of Good Cause for Late Filing [See KCLMAR 2.1(a) and Notices on Page 2]. \$220 arbitration fee must be paid	9/5/2014
✓	DEADLINE to file Confirmation of Joinder if not subject to Arbitration. [See KCLCR 4.2(a) and Notices on Page 2]. DEADLINE for Hearing Motions to Change Case Assignment Area. [See KCLCR 82(e)]. DEADLINE for Disclosure of Possible Primary Witnesses [See KCLCR 26(b)]. DEADLINE for Disclosure of Possible Additional Witnesses [See KCLCR 26(b)]. DEADLINE for Jury Demand [See KCLCR 38(b)(2)]. DEADLINE for Setting Motion for a Change in Trial Date [See KCLCR 40(e)(2)].	9/5/2014 9/19/2014 12/23/2014 2/3/2015 2/17/2015 2/17/2015
	DEADLINE for Discovery Cutoff [See KCLCR 37(g)]. DEADLINE for Engaging in Alternative Dispute Resolution [See KCLCR 16(b)]. DEADLINE for Exchange Witness & Exhibit Lists & Documentary Exhibits [See KCLCR 4(j)].	4/7/2015 4/28/2015 5/5/2015
✓	DEADLINE to file Joint Confirmation of Trial Readiness [See KCLCR 16(a)(2)]. DEADLINE for Hearing Dispositive Pretrial Motions [See KCLCR 56; CR 56].	5/5/2015 5/12/2015
✓	Joint Statement of Evidence [KCLCR 4(K)]. DEADLINE for filing Trial Briefs, Proposed Findings of Fact and Conclusions of Law and Jury Instructions (Do not file Proposed Findings of Fact and Conclusions of Law with the Clerk).	5/19/2015 5/19/2015
	Trial Date [See KCLCR 40].	5/26/2015

The ✓ indicates a document that must be filed with the Superior Court Clerk's Office by the date shown.

III. ORDER

Pursuant to King County Local Rule 4 [KCLCR 4], IT IS ORDERED that the parties shall comply with the schedule listed above. Penalties, including but not limited to sanctions set forth in Local Rule 4(g) and Rule 37 of the Superior Court Civil Rules, may be imposed for non-compliance. It is FURTHER ORDERED that the party filing this action must serve this *Order Setting Civil Case Schedule* and attachment on all other parties.

DATED: 3/28/2014

Susanna Anglin
PRESIDING JUDGE

22 of 24

IV. ORDER ON CIVIL PROCEEDINGS FOR ASSIGNMENT TO JUDGE

READ THIS ORDER BEFORE CONTACTING YOUR ASSIGNED JUDGE.

This case is assigned to the Superior Court Judge whose name appears in the caption of this case schedule. The assigned Superior Court Judge will preside over and manage this case for all pretrial matters.

COMPLEX LITIGATION: If you anticipate an unusually complex or lengthy trial, please notify the assigned court as soon as possible.

APPLICABLE RULES: Except as specifically modified below, all the provisions of King County Local Civil Rules 4 through 26 shall apply to the processing of civil cases before Superior Court Judges. The local civil rules can be found at <http://www.kingcounty.gov/courts/superiorcourt/civil.aspx>.

CASE SCHEDULE AND REQUIREMENTS: Deadlines are set by the case schedule, issued pursuant to Local Civil Rule 4.

THE PARTIES ARE RESPONSIBLE FOR KNOWING AND COMPLYING WITH ALL DEADLINES IMPOSED BY THE COURT'S LOCAL CIVIL RULES.

A. Joint Confirmation regarding Trial Readiness Report:

No later than twenty one (21) days before the trial date, parties shall complete and file (with a copy to the assigned judge) a joint confirmation report setting forth whether a jury demand has been filed, the expected duration of the trial, whether a settlement conference has been held, and special problems and needs (e.g. interpreters, equipment, etc.).

The form is available at <http://www.kingcounty.gov/courts/superiorcourt.aspx>. If parties wish to request a CR 16 conference, they must contact the assigned court. Plaintiff's/petitioner's counsel is responsible for contacting the other parties regarding said report.

B. Settlement/Mediation/ADR

a. Forty five (45) days before the trial date, counsel for plaintiff/petitioner shall submit a written settlement demand. Ten (10) days after receiving plaintiff's/petitioner's written demand, counsel for defendant/respondent shall respond (with a counter offer, if appropriate).

b. Twenty eight (28) days before the trial date, a Settlement/Mediation/ADR conference shall have been held. FAILURE TO COMPLY WITH THIS SETTLEMENT CONFERENCE REQUIREMENT MAY RESULT IN SANCTIONS.

C. Trial: Trial is scheduled for 9:00 a.m. on the date on the case schedule or as soon thereafter as convened by the court. The Friday before trial, the parties should access the King County Superior Court website <http://www.kingcounty.gov/courts/superiorcourt.aspx> to confirm trial judge assignment. Information can also be obtained by calling (206) 205-5984.

MOTIONS PROCEDURES

A. Noting of Motions

Dispositive Motions: All summary judgment or other dispositive motions will be heard with oral argument before the assigned judge. The moving party must arrange with the hearing judge a date and time for the hearing, consistent with the court rules. Local Civil Rule 7 and Local Civil Rule 56 govern procedures for summary judgment or other motions that dispose of the case in whole or in part. The local civil rules can be found at <http://www.kingcounty.gov/courts/superiorcourt/civil.aspx>.

Non-dispositive Motions: These motions, which include discovery motions, will be ruled on by the assigned judge without oral argument, unless otherwise ordered. All such motions must be noted for a date by which the ruling is requested; this date must likewise conform to the applicable notice requirements. Rather than noting a time of day, the Note for Motion should state "Without Oral Argument." Local Civil Rule 7 governs these motions, which include discovery motions. The local civil rules can be found at <http://www.kingcounty.gov/courts/superiorcourt/civil.aspx>.

Motions in Family Law Cases not involving children: Discovery motions to compel, motions in limine, motions relating to trial dates and motions to vacate judgments/dismissals shall be brought before the assigned judge. All other motions should be noted and heard on the Family Law Motions calendar. Local Civil Rule 7 and King County Family Law Local Rules govern these procedures. The local rules can be found at <http://www.kingcounty.gov/courts/superiorcourt/civil.aspx>.

Emergency Motions: Under the court's local civil rules, emergency motions will be allowed only upon entry of an Order Shortening Time. However, emergency discovery disputes may be addressed by telephone call and without written motion, if the judge approves.

B. Original Documents/Working Copies/ Filing of Documents: All original documents must be filed with the Clerk's Office. Please see information on the Clerk's Office website at www.kingcounty.gov/courts/clerk regarding the new requirement outlined in LCR 30 that attorneys must e-file documents in King County Superior Court. The exceptions to the e-filing requirement are also available on the Clerk's Office website.

The working copies of all documents in support or opposition must be marked on the upper right corner of the first page with the date of consideration or hearing and the name of the assigned judge. The assigned judge's working copies must be delivered to his/her courtroom or the Judges' mailroom. Working copies of motions to be heard on the Family Law Motions Calendar should be filed with the Family Law Motions Coordinator. On June 1, 2009 you will be able to submit working copies through the Clerk's office E-Filing application at www.kingcounty.gov/courts/clerk.

Service of documents: E-filed documents may be electronically served on parties who opt in to E-Service within the E-Filing application. The filer must still serve any others who are entitled to service but who have not opted in. E-Service generates a record of service document that can be e-filed. Please see information on the Clerk's office website at www.kingcounty.gov/courts/clerk regarding E-Service.

Original Proposed Order: Each of the parties must include an original proposed order granting requested relief with the working copy materials submitted on any motion. Do not file the original of the proposed order with the Clerk of the Court. Should any party desire a copy of the order as signed and filed by the judge, a pre-addressed, stamped envelope shall accompany the proposed order.

Presentation of Orders: All orders, agreed or otherwise, must be presented to the assigned judge. If that judge is absent, contact the assigned court for further instructions. If another judge enters an order on the case, counsel is responsible for providing the assigned judge with a copy.

Proposed orders finalizing settlement and/or dismissal by agreement of all parties shall be presented to the assigned judge or in the Ex Parte Department. Formal proof in Family Law cases must be scheduled before the assigned judges by contacting the bailiff, or formal proof may be entered in the Ex Parte Department. If final order and/or formal proof are entered in the Ex Parte Department, counsel is responsible for providing the assigned judge with a copy.

C. Form

Memoranda/briefs for matters heard by the assigned judge may not exceed twenty four (24) pages for dispositive motions and twelve (12) pages for non-dispositive motions, unless the assigned judge permits over-length memoranda/briefs in advance of filing. Over-length memoranda/briefs and motions supported by such memoranda/briefs may be stricken.

IT IS SO ORDERED. FAILURE TO COMPLY WITH THE PROVISIONS OF THIS ORDER MAY RESULT IN DISMISSAL OR OTHER SANCTIONS. PLAINTIFF/PETITIONER SHALL FORWARD A COPY OF THIS ORDER AS SOON AS PRACTICABLE TO ANY PARTY WHO HAS NOT RECEIVED THIS ORDER.

Susanna Angelard

PRESIDING JUDGE

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